



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*86 Chambers Street
New York, New York 10007*

May 3, 2024

By ECF

The Honorable Valerie Figueredo
United States Magistrate Judge
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street
New York, NY 10007

Re: *New York Times Co. v. DOD*, 22 Civ. 10299 (GHW) (VF)

Dear Judge Figueredo:

I write respectfully on behalf of the U.S. Department of Defense (“DoD”) to provide a status report in the above-captioned action brought under the Freedom of Information Act (“FOIA”). This action involves FOIA requests submitted by Charlie Savage, a reporter with The New York Times Company (collectively, the “Times”), to DoD and its component, the United States Special Operations Command (“SOCOM”). The FOIA requests to DoD have been resolved, and the FOIA request to SOCOM is nearly complete. As previously reported to the Court, DoD has been processing additional records responsive to the SOCOM request that were identified in a supplemental search. DoD expects to produce some of those records (114 pages) in approximately 30 days. SOCOM expects to complete its consultation on the remaining records (173 pages) within approximately 60 days, with the caveat that some of those pages implicate the same reclassification issue that was encountered previously with regard to another responsive record. *See* ECF Nos. 22, 25. SOCOM is proceeding with the reclassification process as to those pages. Once SOCOM completes its consultation, DoD will prepare a final response to this FOIA request.

DoD respectfully proposes to submit a further status report within 60 days, or by July 2, 2024.

We thank the Court for its consideration of this submission.

MEMO ENDORSED



HON. VALERIE FIGUEREDO
UNITED STATES MAGISTRATE JUDGE

DATED: May 6, 2024

The deadline requested herein for the next status update is granted. The next status update is due by July 8, 2024.

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York

By: Sarah S. Normand
SARAH S. NORMAND
Assistant U.S. Attorneys
86 Chambers Street, Third Floor
New York, New York 10007
Telephone: (212) 637-2709
Sarah.Normand@usdoj.gov

Counsel for Defendant